REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-31 are currently pending, with Claims 2-23 and 25-31 withdrawn as directed to non-elected inventions. Claims 1 and 24 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1 and 24 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,314,163 to Acampora (hereinafter "the '163 patent").

Claim 1 is directed to a network system of radio base stations comprising base stations provided in a plurality of cells, and a control station controlling the base stations. Further, Claim 1 recites that the base stations and the control station are connected in a ring-shape by optical fibers using a wavelength multiplexing transmission method, wherein the base station comprises a variable-wavelength transmitter for transmitting an optical signal having a predetermined wavelength, and an optical coupler for combining optical signals from the variable-wavelength transmitter in order to transmit the optical signals using the wavelength multiplexing transmission method. Moreover, Claim 1 states that the control station comprises a plurality of optical receivers for receiving wavelengths of the optical signals transmitted using the wavelength multiplexing transmission method, and an optical coupler for splitting the wavelength-multiplexed optical signals transmitted from the base stations to the optical receivers by wavelength. Further, Claim 1 states that, when the radio communication terminal communicating with the base station moves and changes the base station to communicate with, a new base station which communicates with the radio communication terminal after a movement of the radio communication terminal controls the

wavelength of the variable-wavelength transmitter, and then transmits the optical signals to the control station with the same wavelength as one used for transmitting by a previous base station which communicates with the radio communication terminal before the movement. Claim 1 has been amended to clarify that the topology of the wireless network connecting the base stations is ring-shaped in structure. The changes to Claim 1 are supported by the originally filed specification and to not ad new matter.[1]

The '163 patent is directed to a method of connecting communication terminals via a wireless broadband access network to a worldwide wire/fiber line communications backbone. The '163 patent discloses a three-layered network including mega cells, standard cells, and picocells (Fig. 1), where the base stations are wirelessly connected with broadband directional optical links in a mesh-shape structure. Applicants respectfully submit that the '163 patent fails to disclose a ring-shaped optical fiber network of the base stations and the control station, as recited in amended Claim 1. Accordingly, Applicants respectfully submit that the rejection of Claim 1 as anticipated by the '163 application is rendered moot by the present amendment to Claim 1.

Claim 24 recites limitations analogous to the limitations recited in Claim 1. Moreover, Claim 24 has been amended in a manner analogous to the amendment to Claim 1. Accordingly, for the reasons stated above for the patentability of Claim 1, Applicants respectfully submit that the rejection of Claim 24 is rendered moot by the present amendment to Claim 24.

Thus, it is respectfully submitted that independent Claims 1 and 24 patentably define over the '163 patent.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as

[1] See Figure 3 and page 9 of the specification.

amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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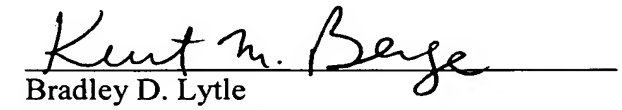

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